

NITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Leonard Bamberg,

Defendant.

~~Proposed~~ Protective Order

11 Cr. 626 (CS)

Upon the application of the United States of America, with the consent of the undersigned counsel, and the defendant having requested discovery under Fed. R. Crim. P. 16, the Court hereby finds and orders as follows:

1. **Disclosure Material.** The Government has made and will make disclosure to the defendant of documents, objects and information, including electronically stored information ("ESI"), pursuant to Federal Rule of Criminal Procedure 16, 18 U.S.C. § 3500, and the Government's general obligation to produce exculpatory and impeachment material in criminal cases, all of which will be referred to herein as "disclosure material." The Government's disclosure material may include material that (i) affects the privacy and confidentiality and of individuals; and (ii) that is not authorized to be disclosed to the public or disclosed beyond that which is necessary for the defense of this criminal case shall be deemed "Confidential Material." The Government shall designate Confidential Material by either (1) designating certain disclosure material in whole or in part as "Confidential" in emails or communications to defense counsel, or (2) including a Bates or other label stating that certain disclosure material is "Confidential."

NOW, THEREFORE, FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED:

2. Confidential Material shall not be disclosed by the defendant or defense counsel, including any successor counsel ("the defense") other than as set forth herein, and shall be used

by the defense solely for purposes of defending this action. The defense shall not post any Confidential Material on any Internet site or network site to which persons other than the parties hereto have access, and shall not disclose any disclosure material to the media or any third party except as set forth below.

3. Confidential Material may be disclosed by counsel to:

(a) Personnel for whose conduct counsel is responsible, *i.e.*, personnel employed by or retained by counsel, as needed for purposes of defending this action;

(b) Prospective witnesses for purposes of defending this action.

4. The Government may authorize, in writing, disclosure of disclosure material beyond that otherwise permitted by this Order without further Order of this Court.

5. This Order does not prevent the disclosure of any Confidential Material in any hearing or trial held in this action, or to any judge or magistrate judge, for purposes of this action. All filings should comply with the privacy protection provisions of Fed. R. Crim. P. 49.1.

6. The defense shall provide a copy of this Order to prospective witnesses and persons retained by counsel to whom the defense has disclosed Confidential Material. All such persons shall be subject to the terms of this Order. Defense counsel shall maintain a record of what information has been disclosed to which such persons.


8. This Order places no restriction on a defendant's use or disclosure of ESI that originally belonged to the defendant.

Retention of Jurisdiction

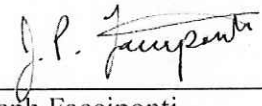
9. The provisions of this order shall not terminate at the conclusion of this criminal prosecution and the Court will retain jurisdiction to enforce this Order following termination of the case.

AGREED AND CONSENTED TO:

AUDREY STRAUSS
United States Attorney

by: 
Benjamin A. Gianforti
Assistant United States Attorney


Date: 6/22/21


Joseph Facciponti
Counsel for Leonard Bamberg

Date: 6/22/2021

SO ORDERED:

Dated: White Plains, New York
June 22 2021


THE HONORABLE CATHY SEIBEL
UNITED STATES DISTRICT JUDGE



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States District Courthouse
300 Quarropas Street
White Plains, New York 10601*

June 22, 2021

BY EMAIL

The Honorable Cathy Seibel
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Leonard Bamberg, 11 Cr. 626 (CS)

Dear Judge Seibel:

Enclosed herewith is a proposed protective order to govern discovery in the above-referenced matter. The Government respectfully requests that the Court enter this executed protective order.

Very truly yours,

AUDREY STRAUSS
United States Attorney

by: 

Benjamin A. Gianforti
Assistant United States Attorney
(914) 993-1919

cc: Joseph Facciponti, Esq., counsel to Leonard Bamberg (by email)